



Office of Oil and Gas  
1356 Hansford Street  
Charleston, WV 25301  
Telephone: 304-558-6075  
Fax: 304-558-6047

---

## West Virginia Department of Environmental Protection

---

Bob Wise  
Governor

Michael O. Callaghan  
Secretary

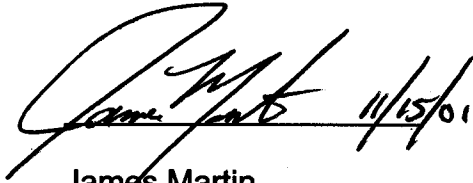
### Office of Oil and Gas Enforcement Process Policy

1. When an oil and gas inspector makes a facility inspection, he shall determine if any violations of state law or regulations exist. If a violation exists, the inspector shall make a determination if the violation presents an imminent danger to persons or a fresh water source or supply or if the violation is willful and negligent.
2. The inspector shall write the violation with compliance requirements and provide for a maximum 7-day period to abate the violation. If the violation is an imminent danger, the inspector shall issue an imminent danger violation requiring the operator to cease operations.
3. Upon expiration of the 7 day abatement period and the violation has not been abated, the inspector shall issue a failure to abate notice requiring the operator to cease further operations. Upon the issuance of a failure to abate, the inspector shall notify the Office's permitting section to block the issuance of permits.

**NOTE:** At any point prior to issuance of the failure to abate, an operator may request a 30 day extension that may be approved by the inspector. The Chief may approve a further extension for good cause.

4. The issuance of a violation may and a failure to abate shall begin enforcement action by the Office to be initiated by the inspector in coordination with the supervising inspector and approved by the Chief. The Chief may refer the enforcement action to the Office of Legal Services. The different enforcement actions are as follows:
  - A. Cease and Desist Order with Required Compliance Actions
  - B. Chief's Order of Penalty
  - C. Bond Forfeiture
  - D. Refer to Circuit Court

**NOTE:** At any time during the violation and enforcement process, an operator may ask the Chief to enter into a Consent Order for the resolution of violations.

A handwritten signature in black ink, appearing to read 'James Martin', followed by the date '11/15/01' written vertically.

James Martin  
Chief, Office of Oil and Gas